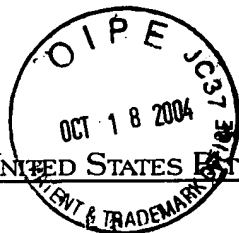


IF-W
Box 54



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/814,858	03/31/2004	Rakesh Tuli	U 015125-9

CONFIRMATION NO. 5596

Ladas & Parry
26 West 61 Street
New York, NY 10023

FORMALITIES LETTER



OC000000012946133

Date Mailed: 06/15/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/19/2004 YPOLITE1 00000044 10814858

FILED UNDER 37 CFR 1.53(b)

01 FC:1001 790.00 OP
02 FC:1051 130.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

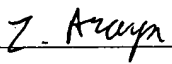
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

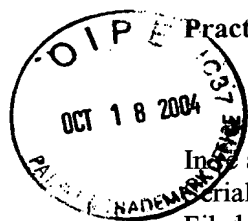
Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Practitioner's Docket No. U 015125-9

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor application of: **RAKESH TULI, et al**

Serial No.: 10/814,858

Group No.: 1646

Filed: MARCH 31, 2004

Examiner.: N/A

For: **ARTIFICIAL BIDIRECTIONAL PROMOTER FOR ACTIVATION OF GENE EXPRESSION**

**Mail Stop Missing Part
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450**

**COMPLETION OF FILING REQUIREMENTS
-- NONPROVISIONAL APPLICATION**

(check and complete this item, if applicable)

- I. This replies to the Notice to File Missing Parts of Application (PTO-1533) or Notice of Informal Application or Notice to File Corrected Applications Papers mailed JUNE 15, 2004.

NOTE: If these papers are filed before the office letter issues, adequate identification of the original papers should be made, e.g., in addition to the name of the inventor and title of invention, the filing date based on the "Express Mail" procedure, the serial number from the return post card or the attorney's docket number added.

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents,
P. O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. 1.8(a)

37 C.F.R. 1.10*

- ☒ with sufficient postage as first class mail.

- ☐ as "Express Mail Post Office to Address"
Mailing Label No. _____ (mandatory)

TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office. to **(703) 872-9306**

Date: October 15, 2004


Signature

Janet I. Cord

(type or print name of person certifying)

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

10/19/2004 YPOLITE1 00000044 10814858

03 FC:1252

430.00 OP

(Completion of Filing Requirements—Nonprovisional Application—page 1 of 7) 5-1

☒ A copy of the Notice is enclosed.

NOTE: The PTO requires that a copy of Form PTO-1533 be returned with the response to the notice to file missing parts to the application.

DECLARATION OR OATH

II. (a) ☒ No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

NOTE: If the correct inventor or inventors are not named on filing a nonprovisional application under Section 1.53(b) without an executed oath or declaration under Section 1.63, the later submission of an executed oath or declaration under Section 1.63 during the pendency of the application will act to correct the earlier identification of inventorship. 37 C.F.R. Section 1.48(f)(1).

OR

(b) ☐ The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

NOTE: For surcharge fee for filing declaration after filing date complete item VI(3) below.

NOTE: "The following combinations of information supplied in an oath or declaration filed after the filing date are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 C.F.R. Section 1.63:

- (A) application number (consisting of the series code and the serial number, e.g., 08/123,456);
 - (B) serial number and filing date;
 - (C) attorney docket number which was on the specification as filed;
 - (D) title which was on the specification as filed and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration; or
 - (E) title which was on the specification as filed and accompanied by a cover letter accurately identifying the application for which it was intended by either the application number (consisting of the series code and the serial number, e.g., 08/123,456), or serial number and filing date. Absent any statement(s) to the contrary, it will be presumed that the application filed in the PTO is the application which the inventor(s) executed by signing the oath or declaration.
- M.P.E.P. Section 601.01(a), 7th ed.

NOTE: Another minimum found acceptable in the declaration is the filing date (i.e., date of express mail) and the express mail number, useful where the serial number is not yet known. But note the practice where the express mail deposit is a Saturday, Sunday or holiday within the District of Columbia. 37 C.F.R. Section 1.10(c).

(complete as applicable)

Attached is a

- (c) ☐ Statement by practitioner that papers attached to declaration are a copy of those filed in PTO to get a filing date
- (d) ☐ Statement that substitute specification contains no new matter.
- (e) ☐ Preliminary Amendment
- (f) ☒ Submission of "Sequence Listing," computer readable copy, and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence
- (g) ☐ Application Data Sheet

**TRANSMITTAL OF ENGLISH TRANSLATION
OF NON-ENGLISH LANGUAGE PAPERS**

- III. ☐ Submitted herewith is an English translation of the non-English language application papers as originally filed. Also submitted herewith is a statement by the translator of the accuracy of the translation. It is requested that this translation be used as the copy for examination purposes in the PTO.

NOTE: For fee processing a non-English application, complete item VI(5) below.

NOTE: A non-English oath or declaration in the form provided or approved by the PTO need not be translated. 37 C.F.R. Section 1.69(b).

SMALL ENTITY STATUS

- IV. a. ☐ An assertion that this filing is by a small entity

(check and complete applicable items)

- ☐ is attached.
☐ was filed on _____ (original).
☐ was made by paying the basic filing fee as a small entity.
☐ is being made now by paying the basic filing fee as a small entity.

- b. ☐ A separate refund request accompanies this paper.

COMPLETION FEES

V.

WARNING: *Failure to submit the surcharge fees where required will cause the application to become abandoned. 37 C.F.R. Section 1.53.*

NOTE: For effect on fees of failure to establish status, or change status, as a small entity, see 37 C.F.R. Section 1.28(a).

1. Filing fee

- ☒ original patent application
(37 C.F.R. Section 1.16(a)--\$790.00; small entity--\$395) \$ 790.00
- ☐ design application
(37 C.F.R. Section 1.16(f)--\$350; small entity--\$175) \$ _____

2. Fees for claims

- ☐ each independent claim in excess of 3
(37 C.F.R. Section 1.16(b)--\$88; small entity--\$44) \$ _____
- ☐ each claim in excess of 20
(37 C.F.R. Section 1.16(c)--\$18; small entity--\$9) \$ _____
- ☐ multiple dependent claim(s)
(37 C.F.R. Section 1.16(d)--\$300; small entity--\$150) \$ _____

3. Surcharge fees

- ☒ late payment of filing fee and/or late filing of original declaration or oath
(37 C.F.R. Section 1.16(e)--\$130; small entity--\$65) \$ 130.00

NOTE: Even where a facsimile declaration or oath signed by the inventor(s) was part of the originally filed papers, the surcharge fee is required.

NOTE: If both the filing fee and declaration or oath were missing from the original papers, the Office practice under 37 C.F.R. Section 1.16(e) is that only one surcharge fee need be paid whether the later filed oath or declaration and/or the filing fee are submitted afterwards at the same time or at different times.

4. ☐ Petition and fee for filing by other than
all the inventors or a person not the inventor
(37 C.F.R. Sections 1.17(i) and 1.47--\$130) \$ _____
5. ☐ Fee for processing an application filed with
a specification in a non-English language
(37 C.F.R. Sections 1.17(k) and 1.52(d)--\$130) \$ _____
6. ☐ Fee for processing and retention of application
(37 C.F.R. Sections 1.21(l) and 1.53(d)--\$130) \$ _____

NOTE: 37 C.F.R. Section 1.21(l) establishes a fee for processing and retaining any application which is abandoned for failing to complete the application pursuant to 37 C.F.R. Section 1.53(f) and this, as well as, the changes to 37 C.F.R. Section 1.53 and 1.78 indicate that in order to obtain the benefit of a prior U.S. application, either the basic filing fee or the processing and retention fee of Section 1.21(l) within 1 year of notification under Section 1.53(f) must be paid.

Total completion fees \$ 920.00

EXTENSION OF TIME

VI.

(complete (a) or (b), as applicable)

The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

- (a) ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. Section 1.17(a)(1)-(4), for the total number of months checked below:

Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input checked="" type="checkbox"/> two months	\$ 430.00	\$ 215.00
<input type="checkbox"/> three months	\$ 980.00	\$ 490.00
<input type="checkbox"/> four months	\$ 1,530.00	\$ 765.00

NOTE: The 2-month time period for reply to A Notice to File Missing Parts of an Application is not identified on the Notice as a statutory period subject to 35 U.S.C. 133. Thus, extensions of time of up to 5 months under 37 CFR 1.136(a), followed by additional time under 37 CFR 1.136(b), when appropriate, are permitted. MPEP 710.02(d)(c), 8th ed.

<input type="checkbox"/> five months	\$ 2,080.00	\$ 1,040.00
--------------------------------------	-------------	-------------

Fee \$ 430.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

☐ An extension for _____ months has already been secured, and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

VII.

The total fee due is

Completion fee(s)	\$ <u>920.00</u>
Extension fee (if any)	\$ <u>430.00</u>

Total Fee Due \$ 1,350.00

PAYMENT OF FEES

VII.

☒ Enclosed is a check in the amount of \$ 1,350.00.

☐ Charge Account No. _____ in the amount of \$ _____.
A duplicate of this request is attached.

NOTE: Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 C.F.R. Section 1.22(b).

Please charge Account No. 12-0425 for any fees which may be due by this paper.

AUTHORIZATION TO CHARGE ADDITIONAL FEES

IX.

WARNING: *Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges if extra claims are authorized.*

NOTE: "Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 C.F.R. Section 1.26(a).

☒ The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the pendency of this application to Account No. 12-0425

☒ 37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

☐ 37 C.F.R. Section 1.16(b), (c) and (d) (presentation of extra claims)

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims canceled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 C.F.R. Section 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.

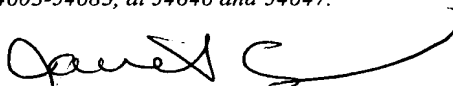
☒ 37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

☒ 37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to Section 1.136(a)).

☒ 37 C.F.R. Section 1.17 (application processing fees)

NOTE: "A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under Section 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in Section 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 C.F.R. Section 1.136(a)(3).

NOTE: Section 1.311(b) provides that an authorization to charge the issue fee (§ 1.18) to a deposit account may be filed in an individual application **only after the mailing of the notice of allowance**. Accordingly, general authorizations to any fees and specific authorizations to pay the issue fee that are filed prior to the mailing of a notice of allowance will generally not be treated as requesting payment of the issue fee and will not be given effect to act as a reply to the notice of allowance. Applicant, when paying the issue fee, should submit a new authorization to charge fees, such as by completing box 6b on the current PTOL 85-B form. Where no reply to the notice of allowance is received, the application will stand abandoned notwithstanding the presence of general authorizations to pay fees or a specific authorization to pay the issue fee that were submitted prior to mailing of the notice of allowance. Where an attempt is made to pay the issue fee but an incorrect amount is submitted, § 1.311(b)(1), or where the Office's issue fee transmittal form (currently PTOL-85(B)) is completed by applicant and submitted, § 1.311(b)(2), in reply to a notice of allowance, an exception will be made. Such submissions will operate as a request to charge the issue fee to any deposit account identified in a previously filed (i.e., submitted prior to the mailing of the notice of allowance) authorization to charge fees, and will be allowed to act as payment of the correct issue fee. § 1.311(b). See also the change to § 1.26(b), Notice of September 8, 2000, Fed. Reg. 54603-54683, at 54646 and 54647.



SIGNATURE OF PRACTITIONER

Reg. No.: 33,778

JANET I. CORD

(type or print name of practitioner)

Tel. No.: (212)708-1935

P.O. Address

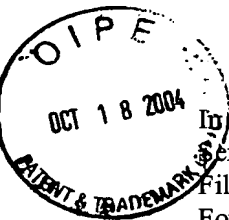
c/o Ladas & Parry LLP
26 West 61st Street
New York, N.Y. 10023

Customer No.:



00140

PATENT TRADEMARK OFFICE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: RAKESH TULI, et al

Serial No.: 10/814,858

Group No.: 1646

Filed: MARCH 31, 2004

Examiner.: N/A

For: ARTIFICIAL BIDIRECTIONAL PROMOTER FOR ACTIVATION OF GENE EXPRESSION

Mail Stop Sequence

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

SUBMISSION OF "SEQUENCE LISTING," COMPUTER READABLE COPY,
AND/OR AMENDMENT PERTAINING THERETO
FOR BIOTECHNOLOGY INVENTION CONTAINING NUCLEOTIDE
AND/OR AMINO ACID SEQUENCE

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. 1.8(a)

37 C.F.R. 1.10*

- ☒ with sufficient postage as first class mail.

- ☐ as "Express Mail Post Office to Address"
Mailing Label No. _____ (mandatory)

TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office. to (703) 872-9306

Signature

Date: October 15, 2004Janet I. Cord

(type or print name of person certifying)

***WARNING:** Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(check and complete this item, if applicable)

1. ☒ This replies to the Office Letter dated JUNE 15, 2004.

NOTE: If these papers are filed before the office letter issues, adequate identification of the original papers should be made, e.g., in addition to the name of the inventor and title of invention, the filing date based on the "Express Mail" procedure, the serial number from the return post card or the attorney's docket number added.

☒ A copy of the Office Letter is enclosed.

IDENTIFICATION OF PERSON MAKING STATEMENT

2. I, Janet I. Cord
(type or print name of person signing below)

state the following:

ITEMS BEING SUBMITTED

3. Submitted herewith is/are

(check each item as applicable)

- A. ☒ "Sequence Listing(s)" for the nucleotide and/or amino acid sequence(s) in this application. Each "Sequence Listing" is assigned a separate identifier as required in 37 C.F.R. 1.821(c) and 37 C.F.R. 1.822 and 1.823.
- B. ☐ An amendment to the description and/or claims, wherein reference is made to the sequence by use of the assigned identifier, as required in 37 C.F.R. 1.821(d).
- C. ☒ A copy of each "Sequence Listing" submitted for this application in computer readable form, in accordance with the requirements of 37 C.F.R. 1.821(e) and 1.824.
- D. ☐ Please transfer to this application, in accordance with 37 C.F.R. 1.821(e), the computer readable copy(ies) from applicant's other application identified as follows:

In re application of:

Serial No.:

Filed:

For:

Group No.:

Examiner:

The Computer readable form(s) of applicant's other application corresponds or compares to the "Sequence Identifier(s)" of this application as follows:

Computer Readable Form
(other applications)

"Sequence Identifier"
(this application)

NOTE: "If the computer readable form of a new application is to be identical with the computer readable form of another application of the applicant on file in the Office, reference may be made to the other application and computer readable form in lieu of filing a duplicate computer readable form in the new application. The new application shall be accompanied by a letter making such reference to the other application and computer readable form, both of which shall be completely identified." 37 C.F.R. 1.821(e).

E. ☒ A statement that the content of each "Sequence Listing" submitted and each computer readable copy are the same, as required in 37 C.F.R. 1.821(f).

☐ Because the statement is not made by a person registered to practice before the Office, the Statement is verified as required in 37 C.F.R. 1.821(b).

F. ☒ Because this submission is made in fulfilling the requirement under 37 C.F.R. 1.821(g), a statement that the submission includes no new matter.

☐ Because the statement is not made by a person registered to practice before the Office, the statement is verified, as required in 37 C.F.R. 1.821(g).

**STATEMENT THAT "SEQUENCE LISTING"
AND COMPUTER READABLE COPY ARE THE SAME
AND/OR THAT PAPERS SUBMITTED INCLUDES NO NEW MATTER**

4. I hereby state:

(complete applicable item A and/or B)

A. ☒ Each computer readable form submitted in this application, including those forms requested to be transferred from applicant's other application, is the same as the "Sequence Listing" to which it is indicated to relate.

B. ☒ All papers accompanying this submission, or for which a request for transfer from applicants' other application, introduce no new matter.

STATUS

5. Applicant is

☐ a small entity:

☒ other than a small entity.

EXTENSION OF TERM

6.

NOTE: 37 C.F.R. § 1.704(b)". . . an applicant shall be deemed to have failed to engage in reasonable efforts to conclude processing or examination of an application for the cumulative total of any periods of time in excess of three months that are taken to reply to any notice or action by the Office making any rejection, objection, argument, or other request, measuring such three-month period from the date the notice or action was mailed or given to the applicant, in which case the period of adjustment set forth in § 1.703 shall be reduced by the number of days, if any, beginning on the day after the date that is three months after the date of mailing or transmission of the Office communication notifying the applicant of the rejection, objection, argument, or other request and ending on the date the reply was filed. The period, or shortened statutory period, for reply that is set in the Office action or notice has no effect on the three-month period set forth in this paragraph."

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of Dec. 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. 1.645 for extensions of time in interference proceedings and 37 C.F.R. 1.550(c) for extensions of time in reexamination proceedings.

7. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b) as applicable)

- (a) ☒ Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/> one month	\$110.00	\$55.00
<input checked="" type="checkbox"/> two months	\$430.00	\$215.00
<input type="checkbox"/> three months	\$980.00	\$490.00
<input type="checkbox"/> four months	\$1,530.00	\$765.00

Fee \$ 430.00 (BEING PAID
TOGETHER WITH THE COMPLETION
OF FILING REQUIREMENTS FILED
HEREWITH)

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured, and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

FEE PAYMENT

8. ☐ Attached is a check in the sum of \$ _____.
- ☐ Charge Account No. _____ the sum of \$ _____.
A duplicate of this transmittal is attached.

FEE DEFICIENCY

9.

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.

10. ☒ If any additional extension and/or fee is required, charge Account No. 12-0425.

SIGNATURE(s)

(type or print name of person signing statement)

Signature

Date

P.O. Address of Signatory

(If applicable)

Tel. No.: ()
Reg. No.

- [] Inventor
[] Assignee of complete interest
[] Person authorized to sign on behalf of assignee
[] Practitioner of record
[] Filed under Rule 34(a)
[] Registration No. _____
[] Other _____
(specify identity of person signing)

(complete the following, if applicable)

(type name of assignee)

Address of assignee

Title of person authorized to sign on behalf of assignee

A "STATEMENT UNDER 37 C.F.R. 3.73(b)" is attached.

Assignment recorded in PTO on _____
Reel _____ Frame _____



SIGNATURE OF PRACTITIONER

Reg. No. 33,778

JANET I. CORD
(type or print name of practitioner)

Tel. No.: (212)708-1935

P.O. Address

c/o Ladas & Parry LLP
26 West 61st Street
New York, N.Y. 10023

Customer No.:



00140

PATENT TRADEMARK OFFICE